

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	ET Docket No. 04- 295
Communications Assistance for Law Enforcement)	RM- 10865
Act and Broadband Access and Services)	

COMMENTS OF Digital Research Communications, Inc.

Joe Baker, proprietor of Digital Research Communications, Inc.
(<http://dcresearch.com/>), respectfully submits these comments on the Notice of
Proposed Rulemaking and Declaratory Ruling, as released August 9, 2004.

I am a small- business owner in Burlington, Wisconsin who offers open- source
(Linux) solutions to businesses and government. Also, our business is considering using
open- source VoIP for our phone system in the future. We strongly believe that open-
source software has considerable advantages in cost, customizability, support and
security.

I believe that open- source systems should not be subject to federal regulations
and am concerned that CALEA will impose a significant and disproportionate burden on
open- source platforms. CALEA implementation has been extremely uncertain over the
past 10 years. That uncertainty will likely hurt open- source software, which is often
developed by small communities of programmers who do not have legions of lawyers to
deal with vague and complex regulatory frameworks. Today's VOIP systems would likely
never have been developed if all products had to go through a CALEA-compliance test
before going to market.

Finally, I oppose the very idea of technical mandates for surveillance of electronic
communications, including VoIP.

Accordingly, I support the comments of the Electronic Frontier Foundation and
urge the Commission not to extend CALEA to VoIP and broadband services.

Sincerely yours,
Joe Baker
Proprietor
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